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9 *Attorneys for Plaintiff HP Inc.*

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 IN RE OPTICAL DISK DRIVE PRODUCTS  
15 ANTITRUST LITIGATION

MDL Docket No. 3:10-md-02143-RS-JCS

16 This document relates to:

Case No. 3:13-cv-05370-RS

17 *Hewlett-Packard Company v. Toshiba Corp., et*  
18 *al.*, No. 3:13-cv-05370-RS

**STIPULATION OF DISMISSAL WITH  
PREJUDICE AND ~~PROPOSED~~ ORDER**

Hon. Richard Seeborg

1 Plaintiff HP Inc. ("HP"), formerly known as Hewlett-Packard Company, and Defendant  
2 NEC Corporation ("NEC"), by and through their respective attorneys, hereby stipulate to a  
3 dismissal of this action as to NEC with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal  
4 Rules of Civil Procedure. Each party shall bear its own costs and attorneys' fees. This stipulation  
5 does not affect the rights or claims of HP against any other defendant or alleged co-conspirator in  
6 the above-captioned litigation.

7  
8 Dated: October 31, 2017

**CROWELL & MORING LLP**

9  
10 By: /s/ Beatrice B. Nguyen

11 Beatrice B. Nguyen  
12 Matthew J. McBurney

13 *Attorneys for Plaintiff HP Inc.*

14  
15 Dated: October 31, 2017

**WINSTON & STRAWN LLP**

16  
17 By: /s/ Robert B. Pringle

18 Robert B. Pringle  
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20 101 California Street, Suite 3500  
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23 *Attorneys for Defendant NEC Corporation*

24  
25 **IT IS SO STIPULATED.**

1 **FILER ATTESTATION**

2 Pursuant to Rule 5-1(i)(3) of the Local Rules of Practice in Civil Proceedings Before the  
3 United States District Court for the Northern District of California, I, Beatrice B. Nguyen, hereby  
4 attest that concurrence in the filing of this document has been obtained from each of the other  
5 signatories.

6  
7 Dated: October 31, 2017

**CROWELL & MORING LLP**

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9 By: /s/ *Beatrice B. Nguyen*

10 Beatrice B. Nguyen

11 *Attorneys for Plaintiff HP Inc.*  
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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/1/17



Honorable Richard G. Seeborg  
United States District Judge